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Signature	Date

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant:	CHANG, Chin-Ming	Group Art Unit: 1654
Serial No.:	10/055,509	Examiner: A. Gupta
Application Date:	January 23, 2002	Conf No.: 9159
For:	STABILIZED TERIPARATIDE SOLUTIONS	
Docket No.:	X10911A	

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. 1.313(c)**

Office of Petitions

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Commissioner for Patents  
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Sir:

**PETITION**

Pursuant to 37 C.F.R. 1.313(c)(2), Applicants respectfully petition for withdrawal of the current case to allow consideration of the enclosed RCE. Allowed claim 47 inadvertently includes glycine in the list of stabilizers. The amendment provided with the RCE deletes glycine from the claim. In addition, U.S. Patent 5,607,915 (Patton), U.S. Patent 4,698,328 (Neer), U.S. Patent 6,454,746 (Bydlon), U.S. Patent 5,891,086 (Weston), U.S. Patent 5,616,560 (Geddes) and WO 94/08613 (Bagnoli) were cited in related cases Serial No. 09/555,476, now U.S. Patent 6,770,623, and Serial No. 10/427,259 (Attorney Docket X-10911B), which were handled by the same Examiner. However, these references have not been formally made of record in the present case, and

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Serial No. 10/055,509

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the IDS submitted with the RCE assures that they are officially considered and of record in this case.

#### PATENT ISSUE FEE

The issue fee for this case has been paid on May 11, 2006.

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#### REASON FOR WITHDRAWAL REQUEST

The reason for the request for withdrawal from issue is:

(b) consideration of a request for continued examination under 37 C.F.R. § 1.114

#### AMENDMENT

Accompanying this petition is an RCE and an amendment.

#### PETITION FEES

The fee set forth in 37 C.F.R. § 1.17(h), required by 37 C.F.R. § 1.313(a) is \$130.00. Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 05-0840

Respectfully submitted,



Thomas D. Webster, PhD, JD  
Attorney for Applicants  
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Phone: 317-276-3334

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
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June 22, 2006

*Lilly*

## Fax Cover Sheet

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Total Pages (including cover): 19Date: JUNE 22, 2006

RE: Serial No: 10/055,509

Title: Stabilized Teriparatide Solutions

Docket No.: X-10911A

Attached for filing in above-referenced application are:

1. Petition for Withdrawal From Issue
2. RCE Transmittal
3. Preliminary Amendment
4. Information Disclosure Statement
5. Form 1449 (US 5,607,915)

Thank you!

THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT), AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE.

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Kim Landers at  
317-277-1469

Answers That Matter.